

## MINUTES OF THE APRIL 2, 2013 ROY CITY COUNCIL MEETING

1. Approval of the March 19, 2013 minutes
2. Introduction of new Fire Captain Marla Easton
3. Consideration of an Interlocal Agreement between Weber County and Roy City for municipal election services – Roy City Contract No. 2013-3
4. Public comments
5. Consideration of a conditional use allowing an electronic message center sign in the R-1-8 Zone on Midland Elementary School property located at approximately 3095 West 4800 South
6. Consideration of Ordinance No. 1054 amending Title 5 of the Roy City Animal Control Ordinance
7. City Manager's report
8. Mayor and Council reports
9. Presentation by UDOT regarding Riverdale Road
10. Adjourn

Minutes of the Roy City Council Meeting held April 2, 2013, at 6:00 p.m. in the City Council Room of the Roy City Municipal Building.

The meeting was a regularly scheduled meeting designated by resolution. Notice of the meeting was provided to the *Standard Examiner* at least 24 hours in advance. A copy of the agenda was posted.

The following members were in attendance:

Mayor Joe H. Ritchie  
Councilman John Cordova  
Councilman Willard Cragun  
Councilman Brad Hilton  
Councilman Michael Stokes  
Councilman Dave Tafoya

City Manager Christ Davis  
City Attorney Andy Blackburn  
Secretary Michelle Drago

Also present were: Jason Poulsen, Fire Chief; Marla Easton, Fire Captain; Troy Easton; Cathy Spencer, Management Services Director; Jared Hall, Planner; Sheri May, Code Enforcement Officer; Barbara Raymond; Elizabeth Brown; Rachel Trotter; Clint Barney; Patricia Ramirez; Amanda Clark; Trent Nelson; Jordan Ward; and Dee Walker.

Moment of Silence: Councilman Cordova

Pledge of Allegiance: Councilman Cordova

Mayor Ritchie welcomed students from Roy and Fremont High Schools.

#### 1. APPROVAL OF MARCH 19, 2013, MINUTES

**Councilman Tafoya moved to approve the minutes of March 19, 2013, as written. Councilman Cordova seconded the motion. Council members Cordova, Cragun, Stokes, and Tafoya voted “aye.” The motion carried**

#### 2. INTRODUCTION OF NEW FIRE CAPTAIN MARLA EASTON

Jason Poulsen, Fire Chief, said it was a special honor and privilege to introduce an outstanding member of the Roy Fire Department to the City Council and to congratulate her on her promotion. Marla Easton had been with Roy City for 18 years. She worked her way up from part time to an EMT. She had driven both an ambulance and an engine. She had been a lead paramedic and Officer in Charge and was recently promoted to Captain. She had the singular distinction of being the first female captain in the history of Roy City. Marla was a great asset to the Fire Department. She had a great crew, and her crew members appreciated her.

Marla Easton felt that most of the City Council knew her. She stood out because there were only two female fire fighters in the Roy City Fire Department. She appreciated the honor of being the first female captain in Roy. She looked forward to this new opportunity.

Mayor Ritchie said he had mentioned Marla's promotion to the former fire chief who felt it was a really good choice.

Marla Easton stated that she had a great crew. Everyone at the Roy Fire Department was great, but she was a little partial to her crew. She introduced her husband Troy.

The Council congratulated Marla Easton.

3. CONSIDERATION OF AN INTERLOCAL AGREEMENT BETWEEN WEBER COUNTY AND ROY CITY FOR MUNICIPAL ELECTION SERVICES – ROY CITY CONTRACT NO. 2013-3

Chris Davis stated that during the last municipal election, Roy City used Weber County to take care of election services. Weber County did a great job. The administration was proposing to have Weber County take care of the 2013 Municipal Election. Roy City Contract No. 2013-3 would approve a proposal similar to the one used for the 2011 Municipal Election. The amounts listed in the contract were 'not to exceed' amounts. The total cost of the election would depend upon voter turnout. Weber County had consolidated some areas in order to be more efficient.

Mayor Ritchie said the election would be less expensive if there wasn't a primary. Mr. Davis said that was correct. The City would have to wait to see whether there would be a primary or not.

Mayor Ritchie said Weber County was planning to hold a bond election in June, which would be done by mail. He wondered what kind of voter turnout there would be for a 'mail in election.' Mr. Davis said the legislative body would have to decide if it wanted to do an election by mail. Davis County would be doing an election by mail this year. He suggested that the City wait to see what kind of response the election had. Mayor Ritchie asked if a mail in election was more expensive. Mr. Davis said it was because of mailing costs.

**Councilman Stokes moved to approve Roy City Contract No. 2013-3 an Interlocal Agreement between Weber County and Roy City for municipal election services. Councilman Cragun seconded the motion. A roll call vote was taken: Council members Cordova, Cragun Stokes, and Tafoya voted "aye." Councilman Hilton was not present. (Copy filed for record).**

4. PUBLIC COMMENTS

There were none.

5. CONSIDERATION OF A CONDITIONAL USE ALLOWING AN ELECTRONIC MESSAGE CENTER SIGN IN AN R-1-8 ZONE ON THE MIDLAND ELENETARY SCHOOL PROPERTY LOCATED AT APPROXIMATLEY 3095 WEST 4800 SOUTH

Jared Hall, Planner, stated that Midland Elementary School had requested approval of a conditional use for an electronic message center sign. The only EMC signs allowed in residential zones were for schools and public uses. Midland Elementary was proposing to replace the reader board on their existing sign with an EMC. The request from Midland Elementary met all of the general requirements for an EMC sign. The staff and Planning Commission felt that if the sign met the conditions listed in the ordinance, the conditional use should be approved.

Councilman Tafoya stated that the PTA had raised the funds for the sign. Did the school administration support the sign? Mr. Hall said it did.

Councilman Cragun asked about public attendance at the public hearing held by the Planning Commission. Mr. Hall said there was one attendee at the hearing. The neighborhood didn't seem to be concerned about the sign.

**Councilman Tafoya moved to approve a conditional use allowing an electronic message center sign in the R-1-8 Zone on the Midland Elementary School property located at approximately 3095 West 4800 South based on the staff's findings and subject to the recommendations of the staff and Planning Commission. Councilman Cordova seconded the motion. Council members Cordova, Cragun, Stokes, and Tafoya voted "aye." The motion carried.**

6. CONSIDERATION OF ORDINANCE NO. 1054 AMENDING TITLE 5 OF THE ROY CITY ANIMAL CONTROL ORDINANCE

Trent Nelson, representing the City Attorney's office, asked that the City Council consider approving Ordinance No. 1054 amending Title 5 – the City's Animal Control Ordinance. The Council discussed the proposed amendments during a work session held last week. Weber County had formed an advisory committee which recommended that the ordinances of the entities that used the Weber County Animal Shelter be uniform. A draft ordinance had been prepared based on the suggestions of the advisory committee and the Council during the work session.

Councilman Tafoya asked how those currently in violation of the Animal Control Ordinance would be handled. Mr. Nelson said a transition period was not addressed in the Animal Control Ordinance. He suggested that citizens be given until January 1, 2014, to comply with the new regulations.

Mayor Ritchie stated that the Council asked about Sunset City's Animal Control Ordinance. Mr. Nelson said Sunset City did not have its own Animal Control Ordinance. Sunset had chosen to adopt Davis County's ordinance, which said residents could have a total of three animals. The animals could be either cats or dogs or any combination of the two. If an owner had three dogs, one had to be adopted from the animal control shelter. The animals had to be registered. Sunset did not require cats to be chipped or tagged.

Trent Nelson stated that the Council had asked about the cost of chipping. Weber County charged \$25. For an additional \$20, a cat could be added to a national registry.

Councilman Stokes stated that there had been a lengthy discussion about the Animal Control Ordinance during the work session. He just didn't have the appetite to require cats to be licensed. If a dog wandered through his neighborhood, he knew who it belonged to. He couldn't say the same about the cats. There was a fundamental difference between dogs and cats.

Trent Nelson said tags were only required on dogs, but cats would have to be licensed. Councilman Stokes asked how the City would prove that a certain cat was the one licensed without a tag. He felt licensing dogs was manageable. He didn't feel the same about cats.

Councilman Cordova felt limiting the number of animals was a good thing, which is what the City was attempting to do. Two cats and two dogs per residence was a lot of animals. He didn't feel the City was attempting to do anything out of line.

Councilman Cragun stated that he could understand the anxiety. However, he felt the City needed to get control of the animal population. He was called to a home that had 35 cats. The neighbors were adamant about something being done. The cat population in the City was a problem. The staff had asked for additional funding for animal control. The City had to come up with a revenue source for that funding. Licensing cats would provide the needed revenue.

Councilman Hilton arrived at 6:18 p.m.

Councilman Stokes felt limiting the number of cats per residence would start reducing the number of cats in the City. He felt it would be difficult for the staff to enforce licensing of cats.

Councilman Cordova stated that asking residents to license their cats was simply asking them to take responsibility. A \$5 license would not put him in the poor house.

Mayor Ritchie stated that the Animal Control Ordinance was a living document. It was subject to change as needed.

Councilman Hilton stated that a recent article in the newspaper talked about Ogden City's animal control ordinance. It was really strict compared to what Roy City was proposing. Ogden City's ordinance talked about cats being on leashes in addition to licensing. He did not foresee this would be a big issue. Those with large numbers of cats would be affected. He agreed that responsible pet owners would license their cats. Those that didn't would be fined. As he looked at the ordinances of surrounding cities, he felt Roy City's proposed ordinance was right in line. He felt Trent Nelson had done a good job preparing the draft ordinance.

Dee Walker, 4073 South 2175 West, stated that cats and dogs were both animals with four legs. She felt cats should be licensed. She felt licensing fees would start to limit the number of cats. She always licensed her dogs.

Councilman Tafoya felt the Council needed to set an effective date. He suggested July 1<sup>st</sup>, the beginning of the fiscal year. Residents would then have three months to come into compliance.

Mayor Ritchie felt that a July 1<sup>st</sup> effective date would give the office staff time purchase the needed licensing supplies.

Trent Nelson felt July 1<sup>st</sup> was a little quick. He didn't want to use the term 'grandfathering' because it might give some residents the idea that they could continue their non-conforming uses.

Councilman Hilton was concerned about the possibility that the implementation of the Animal Control Ordinance would be delayed, like the Good Landlord Program, and residents having to pay back-to-back licensing fees. He was okay with 90 days.

Chris Davis wasn't sure how quickly the front office could get license and tags printed. He suggested that cat licenses be required by December 31<sup>st</sup> just like dog licenses.

Councilman Cragun suggested that licenses for cats be on a calendar year like dog licenses. The time between now and the end of the year could be used as the implementation period. The City could let residents know that about the limit on the number of cats and about the licensing requirements. If owners were required to have a license at the beginning of the calendar year, the staff could do licensing for dogs and cats at the same time.

Cathy Spencer, Management Services Director, stated that the City began licensing dogs on January 1<sup>st</sup> and charged a late fee on February 1<sup>st</sup>. The Council would have to set a license fee for cats. She felt that could be done in three months, if the Council wanted to begin licensing cats on July 1<sup>st</sup>.

Andy Blackburn suggested that the Council approve the proposed changes to the Animal Control Ordinance. The staff would prepare a resolution setting the fees for cat licenses. The license fees would be based on a calendar year.

Councilman Cordova asked if the Animal Control Ordinance discussed chipping cats in lieu of a license. Trent Nelson said the ordinance required owners to license their cats. The owners would have to decide whether to have their cats wear a tag or be chipped.

**Councilman Cordova moved to approve Ordinance No. 1054 amending Title 5 of the Roy City Animal Control Ordinance. Councilman Hilton seconded the motion. A roll call vote was taken: Council members Hilton, Cordova, Tafoya, and Cragun voted "aye." Councilman Stokes voted "nay." The motion carried. (Copy filed for record).**

## 7. CITY MANAGER'S REPORT

Chris Davis stated that the next Council agenda would contain the bid for the 4400 South curb, gutter, and sidewalk project.

Chris Davis stated that the administration had started meeting with the department heads to begin the budget process. The administration wasn't sure how the federal government's sequestration would affect the City.

Chris Davis reminded the Council that the Utah League of Cities and Towns would be held the week of April 8<sup>th</sup>.

## 8. MAYOR AND COUNCIL REPORTS

There were none.

## 9. ADJOURN

**Councilman Cragun moved to adjourn at 6:31 p.m.**

Attest:

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Joe H. Ritchie  
Mayor

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Amy Mortenson  
City Recorder

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